

DECLARATION

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **ENDOLUMINAL PROSTHESIS** the specification of which ____ is attached hereto or **X** was filed on **September 22, 1999** as Application No. **09/400,955** and was amended on _____ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.


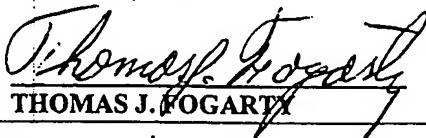
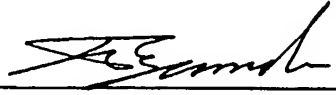
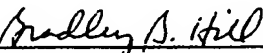
I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| Application No. | Date of Filing | Status |
|-----------------|-------------------|---------|
| 09/258,542 | February 26, 1999 | Pending |

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|--------------------------|---|---|---|------------------------------|
| Full Name of Inventor 1: | Last Name: KLUMB | First Name: KATHERINE | Middle Name or Initial: J. | |
| Residence & Citizenship: | City: Los Altos | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 12195 Magdalena Avenue | City: Los Altos | State/Country: California | Postal Code: 94024 |
| Full Name of Inventor 2: | Last Name: FOGARTY | First Name: THOMAS | Middle Name or Initial: J. | |
| Residence & Citizenship: | City: Portola Valley | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 3270 Alpine Road | City: Portola Valley | State/Country: California | Postal Code: 94028 |
| Full Name of Inventor 3: | Last Name: KAMDAR | First Name: KIRTI | Middle Name or Initial: P. | |
| Residence & Citizenship: | City: Sunnyvale | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 692 Thorn Apple Drive | City: Sunnyvale | State/Country: California | Postal Code: 94806 |
| Full Name of Inventor 4: | Last Name: HILL | First Name: BRADLEY | Middle Name or Initial: B. | |
| Residence & Citizenship: | City: Portola Valley | State/Foreign Country: California | Country of Citizenship: United States | |
| Post Office Address: | Post Office Address: 3270 Alpine Road | City: Portola Valley | State/Country: California | Postal Code: 94028 |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the

like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | |
|--|---|---|
| Signature of Inventor 1  KATHERINE J. KLUMB | Signature of Inventor 2  THOMAS J. FOGARTY | Signature of Inventor 3  KIRTI P. KAMDAR |
| Date 11/15/99 | Date 11/15/99 | Date 11-15-99 |
| Signature of Inventor 4  BRADLEY B. HILL | | |
| Date 11/22/99 | | |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Assistant Commissioner for Patents, Washington, DC 20231 on 21 February, 2001.

Signed: _____

Julie M. Baot

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|--|
| In re application of: Katherine J. Klumb et al. | Attorney Docket No.: VASC 1002-3US (formerly 19459P-000620US) |
| Application No.: 09/400,955 | Examiner: Jonathan D. Goldberg |
| Filed: September 22, 1999 | Group: 3731 |
| Title: <u>ENDOLUMINAL PROSTHESIS</u> | |

Assistant Commissioner for Patents
Washington, D.C. 20231

**SUBSTITUTION OF ATTORNEY BY ASSIGNEE WITH
REVOCATION OF PRIOR POWERS AND CHANGE OF ADDRESS**

Sir:

The undersigned ASSIGNEE, of the entire interest in the above-identified application for letters patent, hereby appoints:

Mark A. Haynes - Reg. No. 30,846
Ernest J. Beffel, Jr. - Reg. No. 43,489
James F. Hann - Reg. No. 29,719

to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney

The following chain of title establishes ownership:

An Assignment from the inventors to Avatar Incorporated Vascular Architects recorded on December 13, 1999 at reel 10483 frame 0545.

An Assignment from Avatar Incorporated Vascular Architects to Vascular Architects, Inc. recorded on May 4, 2000 at reel 10841 frame 0123.

Application No.: 09/400,955

Pursuant to 37 C.F.R. 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all telephone calls to Jim Hann, at (650) 712-0340.

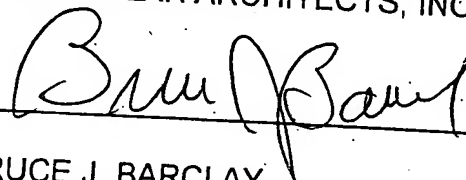
Address all correspondence to:

Customer Number 22470

James F. Hann, Esq.
HAYNES & BEFFEL LLP
P.O. Box 366
Half Moon Bay, CA 94019
(650) 712-0340 (phone)
(650) 712-0263 (fax)

ASSIGNEE: VASCULAR ARCHITECTS, INC.

Signature: _____



Name: _____

BRUCE J. BARCLAY

Title: _____

PRESIDENT AND CEO

Date: _____

Jan. 22, 2001